

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED

JUL 10 2006

**BEVERLY SCHELSTEDER and
KENNETH SCHELSTEDER,
Plaintiffs**

§§ §§ §§ §§ §§ §§ §§ §§ §§

MICHAEL N. MILBY, CLERK OF COURT

VS.

**C.A. NO.: H-05-0941
JURY DEMANDED**

**MONTGOMERY COUNTY, TEXAS
ET AL.,
Defendants.**

卷之三

PLAINTIFFS' STIPULATION OF DISMISSAL

TO THE HONORABLE JUDGE OF THE DISTRICT COURT:

Come now Plaintiffs, KENNETH AND BEVERLY SCHELSTEDER, and file this Notice of Dismissal pursuant to FRCP 41(a)(1).

1. Plaintiffs are Beverly and Kenneth Schelsteder; defendants are Montgomery County, Guy Williams, Ray Zavadil, and Ricky Staggs.
 2. Plaintiffs filed this suit on March 16, 2005.
 3. Plaintiffs now move to dismiss this suit.
 4. Defendants, who have answered, agree to the dismissal.
 5. This case is not a class action.
 6. A receiver has not been appointed in this action.
 7. This case is not governed by any federal statute that requires an order of the court for dismissal of this case.

8. Plaintiffs have previously dismissed an action based on or including the same claims as those presented in this suit.

9. This dismissal is with prejudice.

Respectfully submitted,

MATT FREEMAN & ASSOCIATES

By: David J. Coates

D. Matthew Freeman
State Bar No. 24027171
Southern District Bar No.: 27102
David J. Coates
Texas Bar No. 00783844
Southern District Bar No.: 18488
230 Westcott, Suite 202
Houston, Texas 77007
Telephone: (713) 255-7400
Facsimile: (713) 255-7405

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been sent to all known counsel by first class mail, facsimile, hand delivery and/or certified mail, return receipt requested on July 6, 2006.

Sara M. Forlano
County Attorney, Montgomery County
207 West Phillips
Conroe, Texas 77301
Via Facsimile: (936) 760-6920



David J. Coates